

REMARKS

This is in response to the Final Office Action of October 30, 2007. Claims 1, 4, 6-14, 16, 17, 19-22, 48-59 and 65 are pending in the present application, of which claim 49 is independent. Claims 56-59 were previously withdrawn. A Request for Continued Examination is being filed with this response.

In the Office Action, the Examiner 1) rejected claim 49, 50-52, 55 and 4 under 35 USC 102(b) as being anticipated by U.S. Patent No. 4,326,957 to Rosenberg; 2) rejected claims 1, 10, 13 and 17 under 35 USC 103 as being unpatentable over Rosenberg in view of U.S. Patent No. 4,157,967 to Meyst; 3) rejected claims 6-8 and 11-12 under 35 USC 103 as being unpatentable over Rosenberg in view of Meyst and further in view of US 5,938,940 to Zuk; 4) rejected claim 55 under 35 USC 103 as being unpatentable over Rosenberg in view of US 3,905,905 to O'Leary; 5) rejected claim 65 under 35 USC 103 as being unpatentable over Rosenberg in view of US 6,364,864 to Mohiuddin; 6) rejected claims 14 and 16 under 35 USC 103 as being unpatentable over Rosenberg in view of Meyst and in further view of US 4,453,927 to Sinko; 7) rejected claims 19-21 and 48 under 35 USC 103 as being unpatentable over Rosenberg in view of US 4,009,714 to Hammer; 8) rejected claim 22 under 35 USC 103 as being unpatentable over Rosenberg in view of Hammer and in further view of Published Application 2001/0009756 to Hei; and 9) rejected claim 53 under 35 USC 103 as being unpatentable over Rosenberg in further view of either US 3,864,265 to Markley or US 4,163,721 to Lobdell.

Applicants respectfully submit that the pending claims are not anticipated and would not have been obvious in view of the prior art as set forth in detail below.

Independent Claim 49 Is Not Anticipated by U.S. Patent No. 4,326,957 to Rosenberg

Applicants turn first to the rejection of independent claim 49 and the respective dependent claims under 35 USC 102(b) as being anticipated by U.S. Patent No. 4,326,957 to Rosenberg. In order to further distinguish claim 49 over the cited references, and without acquiescing in the Examiner's rejections, Applicant's have further amended claim 49.

Specifically, amended claim 49 is directed to a flow-through device for removing selected compounds from a liquid. Amended claim 49 requires, among other things, a housing including a pair of side walls welded together near their peripheries to provide a peripheral end wall, said side walls and end wall defining a chamber. A removal medium is located within the chamber between the walls. Amended claim 49 further requires the removal medium including a peripheral end surface terminating interior to the peripheral end wall of the housing thereby defining a gap between said peripheral end surface and said peripheral end wall wherein the removal medium peripheral end is in contact with a liquid impermeable barrier. The liquid impermeable barrier comprises an injectable material and the injectable material substantially fills the gap located between the peripheral end surface of the removal medium and the peripheral end wall of the housing.

Applicants submit that Rosenberg does not describe a flow-through device as presently claimed. In particular, Rosenberg does not teach or suggest a flow-through device comprising 1) a removal medium including a peripheral end surface terminating interior to a peripheral end wall of a housing thereby defining a gap between the

peripheral end surface and the peripheral end wall or 2) a liquid impermeable barrier wherein the liquid impermeable barrier comprises an injectable material that substantially fills the gap between the peripheral end surface of a removal medium and the peripheral end wall of a housing. As described in the specification of the present published application, such liquid impermeable barrier comprising an injectable material provides various advantages. For example, when the gap 90 remaining between filter medium 60 and housing 42 is substantially filled with a liquid impermeable barrier, it provides additional assurance that liquid is not bypassing the filter medium 60 when it is conveyed thought the flow-through device. As shown in Figures 27 and 28, an injectable material, i.e. "sealant" 92 may be injected into the gap 90, and therefore effectively seal the gap and prevent liquid from bypassing the removal media 60. See page 5, para. [0086]. These features are not found, and the above-described advantages are not achieved in the prior art.

In contrast, Rosenberg describes a vented filter spigot (see Fig. 2) that consists of a housing having two portions 2 and 3 that are bonded together, and filter sheets 10 and 11 contained within the housing. Housing portion 3 has a peripheral channel 7 that is shaped to receive a peripheral rib 8 located on the periphery of housing portion 2. The periphery of the filter elements 10 and 11 are compressed between the rib and channel of filter housing elements 2 and 3. See Rosenberg col. 9, lines 38 through col. 10, line 3 and Figure 3. Accordingly, it is clear that the peripheral end surface of filter elements 10 and 11 in Rosenberg do not terminate interior to the peripheral end wall of the housing thereby defining a gap between the peripheral end surface and the peripheral end wall of the housing as presently claimed, but instead, the filter elements

extend beyond the peripheral end surface of the housing portions such that the filter media can be compressed between the housing portions and thereby held in place.

Further, Applicants submit that Rosenberg also does not describe a liquid impermeable barrier wherein the liquid impermeable barrier comprises an injectable material that substantially fills the gap between the peripheral end surface of a removal medium and the peripheral end wall of a housing. As described above, there is no gap between the peripheral end surface of filter elements 10 and 11 and the peripheral end wall of housing portions 2 and 3. Even if there were such a gap, there is no description in Rosenberg of a liquid impermeable barrier comprised of an injectable sealant as presently claimed.

The Office appears to be equating the adhesive described in Rosenberg that is used to secure the mating halves of the housing with the "sealant", now amended to read "material" of claim 49. In contrast, claim 49, as amended, recites a device wherein the mating halves (i.e., walls) are welded together to provide an end wall. A separate injectable material is then used to fill the gap between the removal medium and the end wall. In Rosenberg, however, before the separate halves of the device are secured together, there is no end wall, and once they are secured together, i.e., by adhesive bonding, there is no gap as set forth in amended claim 49.

Thus, for at least these reasons, Applicants submit that Rosenberg does not describe a removal medium including a peripheral end surface terminating interior to a peripheral end wall of a housing thereby defining a gap between the peripheral end surface and the peripheral end wall or 2) a liquid impermeable barrier wherein the liquid impermeable barrier comprises an injectable material that substantially fills the gap

between the peripheral end surface of a removal medium and the peripheral end wall of a housing. Accordingly, amended claim 49 is not anticipated and would not have been obvious over the Rosenberg '957 patent.

The Dependent Claims Are Not Anticipated and Would Not Have Been Obvious Over The Cited References

Next, Applicants turn to the remaining rejections of the dependent claims as set forth in the Final Office Action. Applicants note that the dependent claims are all dependent from amended independent claim 49. For the reasons already stated hereinabove, amended claim 49 is not anticipated and would not have been obvious over Rosenberg and accordingly, Applicants submit that the claims dependent on claim 49 are also not anticipated and would not have been obvious over Rosenberg.

Further, none of the additional references cited by the Examiner describe any of the subject matter missing from the Rosenberg patent and are not properly combinable with Rosenberg to render the claimed invention obvious.

Conclusion

For the reasons set forth above, Applicants submit that the claims are not anticipated or obvious in view of the prior art, and are now in condition for allowance. Reconsideration and allowance of such claims are respectfully requested.

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Respectfully submitted,



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